

## **REMARKS**

Claims 1, 3-4, 6-11, 16-25, 29-34, 37-44, 48, 51-52, 56-60, and 64-72 have been amended. Claims 1-72 remain pending in the application. Reconsideration is respectfully requested in light of the following remarks.

### **Section 103(a) Rejections:**

Claims 1-5, 7-18, 23-56, 60-66, 68, 69 and 72 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Hormann (U.S. Patent 6,785,706) in view of Mossman (U.S. Publication 2002/0124061), and claims 6, 19-22, 57-59, 67 and 71 were rejected as being unpatentable over Hormann in view of Mossman and in further view of Shafron et al. (U.S. Publication 2003/0014479) (hereinafter “Shafron”). Applicant respectfully traverses these rejections for at least the following reasons.

The rejection of claims 1-72 was affirmed by the Board of Patent Appeals and Interferences on January 4, 2010. The Board’s analysis was based on the interpretation that “Hormann’s network reasonable corresponds to Appellant’s … ‘intelligent device.’” Board Decision, p. 13. To overcome this interpretation by the Board, Applicant’s claims have been amended to clarify that the intelligent device is an individual electronic device, as opposed to the entire network of Hormann that includes the administrative control server and administered servers. In light of other remarks included in the Board’s analysis, the claims have also been amended to clarify that each of the recited configuration files includes configuration information for a respective one of the plurality of software components, and that each of these software components is a different executable entity included on the intelligent device and executable on the intelligent device.

Regarding claim 1, Hormann in view of Mossman fails to teach or suggest *accessing a plurality of configuration files on an intelligent device, wherein the intelligent device is an individual electronic device, wherein each of the plurality of*

*configuration files includes configuration information for a respective one of a plurality of software components included on the intelligent device and executable by a processor on the intelligent device, and wherein each of the plurality of software components is a different executable entity.* Horman describes an administrative control server configured to change the configurations of administered servers according to synchronization instructions generated from configuration information stored on the administrative control server. Configuration information stored on the administrative control server of Horman includes items describing server configurations, such as which administered servers are in the environment, the group each administered server belongs to, and which version of end-user applications an administered server is running. There is nothing in Horman that describes accessing a plurality of configuration files on an individual intelligent device (for which a batch configuration document is generated), as recited in claim 1. There is also nothing in the combination of Horman and Mossman to teach or suggest that each of the configuration files on the intelligent device includes configuration information for a respective one of a plurality of software components included on the intelligent device, according to the limitations recited in claim 1, e.g., *a plurality of software components included on the intelligent device and executable by a processor on the intelligent device... wherein each of the plurality of software components is a different executable entity.*

In addition, nothing in Mossman describes accessing a plurality of configuration files on an individual intelligent electronic device (for which a batch configuration document is generated). As illustrated in FIGs. 3 and 5, in Mossman, data is collected from the user (not accessed from a configuration file on an intelligent device) and is stored in the parameters values database 60 on the server. FIG. 5 and its accompanying description in Mossman clearly depict configuration documents 132 on the server, not on an intelligent device to be configured. Similarly, FIG. 3 of Mossman illustrates configuration parameters relations database 64 and parameter values database 60 on configuration system 10, which is on the server side of system 100 (see FIG. 5). Paragraph [0078] includes the following description of the operation of Mossman's configuration system 10 (emphasis added):

The aggregation phase 82 is an interactive state in which data to be applied to the system 12 is collected from the user 20 and stored in the parameters values database 60. For example, a graphical user interface (GUI) is displayed in display output 50 to the user 20 using information from the configuration parameter relations database 64 and formatted by the display formulation module 56 and the parameter display 54. The GUI display of information facilitates the collection of data, handled by the parameter selection module 58, that will be applied to accomplish the programming task.

Information displayed for the user comes from configuration parameter relations database 64, which is also on the server. Applicant asserts that data obtained from a user through a graphical user interface (Mossman) and stored on a server is not analogous to accessing configuration files on an intelligent device (as in Applicant's claim 1). Therefore, Mossman does not overcome the deficiency of Horman in teaching or suggesting *accessing a plurality of configuration files on an intelligent device*, according to the limitations recited in claim 1. In Mossman, there are no configuration files on an individual intelligent device from which configuration information is accessed; instead there is user interface through which a user enters data to be applied to the system. These are clearly two completely different methods of obtaining configuration information.

Moreover, Applicant asserts that there would be no reason to combine the references to teach the claims as amended. First, Mossman does not teach or suggest *accessing a plurality of configuration files on an individual intelligent device*. Furthermore, Horman purposefully changes the configurations of its administered servers without this feature. As discussed above, this feature is not clearly taught by Mossman, whether considered alone or in combination with Horman. Therefore, even if the references were combined, the resultant combination would not produce Applicant's claimed invention, as shown above.

Further regarding claim 1, Horman in view of Mossman fails to teach or suggest *generating a batch configuration document from the accessed plurality of configuration files, wherein the batch configuration document includes the configuration information for the plurality of software components included on the individual intelligent device*.

Horman describes generating synchronization instructions based on which batches of synchronization scripts apply to each administered server. There is nothing in this citation, or elsewhere in the combination of Horman and Mossman, that teaches or suggests that these synchronization scripts or synchronization instructions include configuration information for a plurality of software components included on the individual intelligent device, as recited in claim 1. In fact, Horman clearly describes that each batch is executed against a single target, such as a single version of an end-user application, a database instance, or an operating system. In Horman, a “group batch” is a batch that can be applied to each of the members of a group of administered servers that runs the same target (i.e. the same version of the end-user application, database instance, or operating system that is the target of the batch). There is nothing in Horman that teaches or suggests that a batch or group batch includes configuration information for a plurality of software components included on an intelligent device, according to the limitations of the batch configuration document recited in Applicant’s claim, much less generating such a batch configuration document from a plurality of configuration files accessed on an individual intelligent electronic device. In fact, there is no mention in Horman of how the batches or group batches of Horman are generated. Horman merely describes how they are used in configuring a target on an administered server or in testing a new version of a target (e.g., a new version of an end-user application, database instance, or operating system).

Applicant asserts that the Parameterized Script Template (PST) of Horman also fails to teach or suggest the batch configuration document of Applicant’s claim, or the generation of such a batch configuration document. Horman’s PST is not a script that can be executed to configure a target on a device, nor is it a document that includes configuration information for a plurality of software components. It is a template for a family of scripts. Specifically, it is a script of commands within which parameter markers are embedded. The actual script that is executed by a server or by each of the servers in a group of similar servers is an instantiation of the PST in which the parameter markers have been replaced with values corresponding to the server (or group) characteristics. To perform a synchronization operation, an administered server connects

to its administrative control server. The control server identifies the scope and context of the synchronization and de-parameterizes the PST using the context of the administered server. The resulting script is downloaded to the administered server and executed there. This PST (and resulting de-parameterized script) is clearly completely different from a batch configuration document that is generated from a plurality of configuration files accessed on an individual intelligent device, wherein the batch configuration document includes configuration information for the plurality of software components included on the individual intelligent device.

Also, regarding claim 1, Horman in view of Mossman fails to teach or suggest *the batch configuration document is accessible for use in configuring the plurality of software components included on the individual intelligent device whose configuration files were used in said generating the batch configuration document*. None of the various passages previously cited in Horman teaches or suggests a batch configuration document for configuring a plurality of software components of an individual intelligent device whose configuration files were used in generating the batch configuration document. There is nothing in the combination of Horman and Mossman that teaches or suggests configuration files on an individual intelligent device or configuring a plurality of software components on the intelligent device whose configuration files were used in generating a batch configuration document.

For at least the reasons above, the rejection of claim 1 is not supported by the cited art and removal thereof is respectfully requested.

Applicant's discussion above regarding claim 1 applies also to independent claims 41, 48 and 66, which recite similar limitations. Therefore, for at least the reasons above, the rejection of claims 41, 48 and 66 are respectfully requested.

Claim 33 recites limitations similar to those of claim 1 regarding generating a batch configuration document on a first individual intelligent device from a plurality of configuration files accessed on the first individual intelligent device. Therefore the

arguments presented above regarding the generation of a batch configuration document apply to this claim, as well. Claim 33 and also recites *configuring one or more software components of a second intelligent device using the batch configuration document generated on the first intelligent device*. Applicant asserts that nothing in Horman, Mossman, or the combination thereof teaches or suggests generating a batch configuration document from a plurality of configuration files on a first intelligent device and configuring one or more software components of a second intelligent device using the batch configuration document generated on the first intelligent device.

For at least the reasons above, the rejection of claim 33 is not supported by the prior art and removal thereof is respectfully requested.

Regarding claim 16, Horman in view of Mossman fails to teach or suggest *accessing a batch configuration document, wherein the batch configuration document comprises configuration information for each of a plurality of software components included on an intelligent device and executable by a processor on the intelligent device, wherein the intelligent device is an individual electronic device, and wherein each of the plurality of software components is a different executable entity; and applying configuration information from the batch configuration document for each of one or more of the plurality of software components to a respective configuration file on the intelligent device for each of the one or more of the plurality of software components included on the intelligent device*. As discussed above in remarks directed to claim 1, the cited references do not teach or suggest the batch configuration document of Applicant's claim, i.e. one that is accessible for use in configuring the plurality of software components included on the individual intelligent device whose configuration files were used in said generating the batch configuration document. Therefore, the references clearly do not teach or suggest accessing such a document or applying configuration from such a document to respective configuration files for each of the software components included in the individual intelligent device to configure those software components, as required by claim 16.

For at least the reasons above, the rejection of claim 16 is not supported by the cited art and removal thereof is respectfully requested.

Applicant's remarks regarding claim 16 apply also to independent claims 56 and 70, which recite similar limitations. Therefore, for at least the reasons above, the rejection of claims 56 and 70 are respectfully requested.

Applicant also asserts that numerous ones of the dependent claims recite further distinctions over the cited art. However, since the rejection has been shown to be unsupported for the independent claims, a further discussion of the dependent claims is not necessary at this time.

## **CONCLUSION**

Applicant submits the application is in condition for allowance, and an early notice to that effect is respectfully requested.

If any fees are due, the Commissioner is authorized to charge said fees to Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C. Deposit Account No. 501505/5181-78701/RCK.

Respectfully submitted,

/Robert C. Kowert/  
Robert C. Kowert, Reg. #39,255  
Attorney for Applicant

Meyertons, Hood, Kivlin, Kowert, & Goetzel, P.C.  
P.O. Box 398  
Austin, TX 78767-0398  
Phone: (512) 853-8850

Date: March 4, 2010